



Attorney Docket No.: 043601/0110

**DECLARATION AND POWER OF ATTORNEY**  
(Sole Inventor)

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; that I believe I am the original, first inventor of the subject matter which is claimed and for which a patent is sought on the invention or design entitled APPARATUS AND METHOD FOR CONDUCTING ASSAYS

the specification of which:

X is attached hereto; or  
was filed in the United States on April, 8, 1999 as Application Serial No. 09/284,421

that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; and that I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate designated below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application to which priority is claimed:

<u>Number</u>	<u>Country</u>	<u>Date Filed</u>	<u>Priority Claimed</u>
9620934.1	UNITED KINGDOM	08/10/96	Yes

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial Number

Date Filed

Status

I hereby claim the benefit under Title 35, United States Code, § 199(e) of any United States provisional applications(s) listed below:

\_\_\_\_\_  
(Application Serial Number)

\_\_\_\_\_  
(Date Filed)

\_\_\_\_\_  
(Application Serial Number)

\_\_\_\_\_  
(Date Filed)

\_\_\_\_\_  
(Application Serial Number)

\_\_\_\_\_  
(Date Filed)

28  
I hereby appoint Russell J. Barron, Reg. No. 29,512; Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; Melanie E. Bronson, Reg. No. 40,924; John C. Cooper, Reg. No. 26,416; Harry C. Engstrom, Reg. No. 26,876; John J. Feldhaus, Reg. No. 28,822; Jack L. Lahr, Reg. No. 19,621; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; James G. Morrow, Reg. No. 32,505; Jefferson Perkins, Reg. No. 31,407; George E. Quillin, Reg. No. 32,792; Michael D. Rehtin, Reg. No. 30,128; Donald P. Reynolds, Reg. No. 26,220; Colin G. Sandercock, Reg. No. 31,298; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Arthur Schwartz, Reg. No. 22,115; Harold C. Wegner, Reg. No. 25,258, all of said attorneys being of the firm of Foley & Lardner, our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities under the Patent Cooperation Treaty.

Direct all telephone calls to Jefferson Perkins at Telephone No. 312-755-2512.

Address all correspondence to:

Foley & Lardner  
Suite 3300  
330 North Wabash Avenue  
Chicago, Illinois 60611-3608

I declare that all statements made herein of my own knowledge are true and that all

statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Attorney Docket No.:

043601/0110

Full Name of Sole Inventor:

1-00  
John Francis GORDON

Inventor's signature:

John Gordon

Date:

1st June 1999

Residence:

Torrance, Glasgow, United Kingdom  
COBX

Citizenship:

British

Post Office Address:

5 Park Crescent,  
Torrance,  
Glasgow G64 4BH, United Kingdom



**Applicant or Patentee:** John Francis GORDON **Attorney's Docket No** 043601/0110

**Serial or Patent No.:** 09/284,421

**Filed or Issued:** April 8, 1999

**For:** APPARATUS AND METHOD FOR CONDUCTING ASSAYS

**VERIFIED STATEMENT (DECLARATION)  
CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(b))  
SMALL BUSINESS CONCERN**

**I hereby declare that I am**

☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

**NAME OF CONCERN** MOLECULAR DRIVES LIMITED

**ADDRESS OF CONCERN** UNIVERSITY OF GLASGOW,

2 THE SQUARE, GLASGOW G12 8QQ, UNITED KINGDOM

**I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.**

**I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled** APPARATUS AND METHOD FOR CONDUCTING ASSAYS **by inventor(s)** JOHN FRANCIS GORDON **described in**

☐ the specification filed herewith  
☒ application Serial No. 09/284,421  
**filed** April 8, 1999  
☐ Patent No. \_\_\_\_\_  
**issued** \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULLNAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT

ORGANIZATION

FULLNAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT  
ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

0001 WUL I 1 6'00H 109079

NAME OF PERSON SIGNING JOHN FRANCIS GORDON.

TITLE OF PERSON OTHER THAN OWNER DIRECTOR.

ADDRESS OF PERSON SIGNING 5 PARK CRESCENT

TORRANCE GLASGOW G64 4BH.

SIGNATURE John Gordon DATE 1st June 1999.